THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.7438 of 1999

Dated : 04.04.2007

Between:

G.Srinivas S/o Narayana and another.

... **PETITIONERS**

And:

The Revenue Divisional Officer, Karimnagar
and another.

....**RESPONDENTS**

THE HON'BLE SRI JUSTICE GOPALA KRISHNA TAMADA

WRIT PETITION No.7438 of 1999

ORDER:

Petitioners claim to be landless poor persons, who were assigned land in Sy.No.1104 situated at Karimnagar, admeasuring 80 and 121 square yards, respectively, by the Mandal Revenue Officer, Karimnagar, and the petitioners alleged to have constructed houses on the said land and have been in possession and enjoyment of the same. However, by proceedings dated 05.08.1998, the first respondent cancelled the said assignment alleging that the said land is required for the public purpose, and thereby ordered resumption of the said land to the Government. Hence, this writ petition.

Despite service of notice, the respondents have not chosen to file any counter.

Heard the learned counsel for the petitioners and the learned

Government Pleader for Assignment.

Admittedly, against the impugned order, the petitioners have a remedy of appeal under the provisions of Andhra Pradesh Assigned Lands (Prohibition of Transfers) Act. When the petitioners have an efficacious alternative remedy, this writ petition is not maintainable.

Accordingly, the writ petition is dismissed leaving it open to the petitioners to file an appeal against the order of the first respondent dated 05.08.1998, within a period of six weeks from the date of receipt of a copy of this order. However, having regard to the fact that while issuing rule nisi, this Court directed the parties to maintain status quo, the respondents are directed not to dispossess the petitioners from the land in question till the appeal is filed by the petitioners. There shall be no order as to costs.

_____

04.04.2007

sh